

United States District Court

WESTERN DISTRICT OF WASHINGTON

SYLVESTER MAHONE

JUDGMENT IN A CIVIL CASE

v.

SUPERINTENDENT FRANKS,

CASE NUMBER: C09-5394RBL

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Court adopts the Report and Recommendation.

The petition for writ of habeas corpus is DENIED; and

For the reasons stated in the Report and Recommendation, the Court declines to issue a certificate of appealability because the Petitioner has failed to make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

January 4, 2010
Date

BRUCE RIFKIN
Clerk

s/CM Gonzalez
Deputy Clerk